SINGLE BENCH

(3) CF 1002 (5)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION (S) NO. 1278 OF 2007

PETITIONER : Premlal Verma Son of Shri Menghuram Verma, aged about 44 years, Assistant Teacher, Govt. Primary School Karhi, Block Saja, Education District Bemetara, District Durg (C.G.).

P.R. No. 1497/07
Presented by Shri S.P. Sahu
dated 20/2/07

VERSUS

RESPONDENTS : 1. State of Chhattisgarh, Through: The Secretary, Department of School Education, D. K. S. Bhawan, Raipur (C.G.).

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2. The Director, Public Instructions, Raipur (C.G.).

3. The District Education Officer, Education District Bemetara, District Durg (C.G.).

4. The Block Education Officer, Saja, District Durg (C.G.).

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER/ORDERS, DIRECTION/DIRECTIONS.

(33)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 1278 of 2007

Petitioner : Premlal Verma

Versus

Respondents : State Govt. of Chhattisgarh & others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Present: Shri P. P. Sahu, *Advocate for the petitioner.*
Shri Satish Gupta, Deputy Govt. Advocate for the respondents.

ORDER

(Passed on this 2nd day of March, 2007)

1. The petitioner was appointed as Assistant Teacher on fixed pay of Rs. 150/- vide order dated 15.1.1982. After completion of two year's probation, he was granted regular pay scale.
2. Learned counsel appearing for the petitioner submits that the issue involved in the case is asto whether the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.
3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment. The matter was taken up to the Hon'ble Supreme Court in Special Leave Petition (Civil) No. 6892/93. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

Sd/-
Satish K.Agnihotri
Judge